

Message Text

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PAGE 01 CARACA 00950 241818Z

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ACTION ARA-10

INFO OCT-01 ISO-00 EB-07 COME-00 TRSE-00 FPC-01 FEA-01

INT-05 L-02 JUSE-00 RSC-01 /028 W

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R 241612Z JAN 75

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 7411

INFO AMEMBASSY MEXICO

LIMITED OFFICIAL USE CARACAS 0950

E.O. 11652: N/A

TAGS: BDIS, VE, MEX, US

SUBJECT: LITIGATION INVOLVING VEN FUEL INCORPORATED AT
JACKSONVILLE, FLORIDA

REF: MEXICO 683 (NOTAL)

1. ON JANUARY 17 I RECEIVED A LETTER DATED JANUARY 2 FROM
ROBERT B. PERSONS, JR., ASSISTANT STATE ATTORNEY, FLORIDA,
WHOSE TEXT IS AS FOLLOWS:

QUOTE

THIS OFFICE IS CURRENTLY INVESTIGATING DEALINGS BETWEEN THE
JACKSONVILLE ELECTRIC AUTHORITY, JACKSONVILLE, FLORIDA,
AND VEN FUEL, INCORPORATED, A CORPORATION DOING BUSINESS
OUT OF CORAL GABLES, FLORIDA. IT WOULD BE OF GREAT ASSISTANCE
IF YOUR EMBASSY PERSONNEL COULD FIND OUT WHETHER OR NOT
THE VENEZUELAN GOVERNMENT GRANTED VEN FUEL, INC., AN
EXEMPTION FROM PAYING THE "ROYALTY TAX" ON FUEL
OIL EXPORTED TO THE JACKSONVILLE ELECTRIC AUTHORITY
DURING THE PERIOD FROM JANUARY 1, 1973 THROUGH OCTOBER 1, 1974.
YOUR ASSISTANCE IN THIS MATTER IS CERTAINLY APPRECIATED.
UNQUOTE

2. SUBSEQUENTLY WE HAVE RECEIVED MEXICO'S 683 (NOT REPEATED
DEPARTMENT), WHOSE TEXT IS TODAY BEING REPEATED TO THE DEPARTMENT.
IN EFFECT, EMBASSY MEXICO PROPOSES THAT AN OFFICIAL OF THE JACKSONVILLE
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CUSTOMS OFFICE PLUS THE CUSTOMS ATTACHE IN MEXICO CITY CONFER WITH EMBASSY CARACAS "AND HOST COUNTRY OFFICIALS" CONCERNING THE VENEZUELAN TAX SYSTEM AS IT APPLIES TO EXPORTS OF PETROLEUM.

3. I AM RELUCTANT TO RETURN A DIRECT ANSWER TO THE ASSISTANT STATE ATTORNEY IN JACKSONVILLE BUT REQUEST THAT THE DEPARTMENT ON MY BEHALF ACKNOWLEDGE RECEIPT OF HIS COMMUNICATION AND ADD WHATEVER OTHER COMMENT IT MAY HAVE. WHAT I WANT TO AVOID IS PLACING THIS EMBASSY IN A POSITION WHERE A FLORIDA COURT MIGHT SUBPOENA ITS OFFICERS AS WITNESSES IN A TRIAL AGAINST A CORPORATION WHICH IS HALF OWNED BY THE VENEZUELAN GOVERNMENT. AS FOR THE SUBSTANCE OF THE ASSISTANT STATE ATTORNEY'S INQUIRY, EMBASSY CARACAS MIGHT IN FACT BE ABLE TO DEVELOP FURHTER INFORMATION BUT WE ARE HESITANT TO PASS IT ON TO THE STATE ATTORNEY WITHOUT DEPARTMENT'S EXPLICIT APPROVAL.

4. INQUIRY FROM MEXICO RELATES TO THE SAME CASE AND IS OF SIMILAR DELICACY. COMING AS IT DOES AT THIS PARTICULAR TIME WHEN OUR RELATIONS WITH VENEZUELA ARE SUBJECT TO SEVERE STRAIN AND EVERYTHING USG DOES SEEMS TO BE INTERPRETED AS AN ADDITIONAL THRUST AGAINST VENEZUELA, I HAVE QUALMS AS TO ADVISABILITY OF PERMITTING TWO U.S. CUSTOMS OFFICIALS TO COME TO CARACAS TO INTERROGATE HOST COUNTRY OFFICIALS. IN CONSEQUENCE, REQUEST DEPARTMENT SEND WHATEVER INSTRUCTION IT DEEMS NECESSARY TO EMBASSY MEXICO RE ITS 683 TO CARACAS.
MCCLINTOCK

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Margaret P. Grafeld
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